

Amendment No. 1 to SB0547

Johnson  
Signature of Sponsor

**AMEND Senate Bill No. 547**

**House Bill No. 545\***

by deleting subdivisions (1), (2), and (4) from subsection (a) in the amendatory language of Section 1 and substituting instead the following:

(1) "Breach of system security":

(A) Means the acquisition of the information set out in subdivision

(a)(1)(A)(i) or (a)(1)(A)(ii) by an unauthorized person that materially compromises the security, confidentiality, or integrity of personal information maintained by the information holder:

(i) Unencrypted computerized data; or

(ii) Encrypted computerized data and the encryption key; and

(B) Does not include the good faith acquisition of personal information by an employee or agent of the information holder for the purposes of the information holder if the personal information is not used or subject to further unauthorized disclosure;

(2) "Encrypted" means computerized data that is rendered unusable, unreadable, or indecipherable without the use of a decryption process or key and in accordance with the current version of the Federal Information Processing Standard (FIPS) 140-2;

(4) "Personal information":

(A) Means an individual's first name or first initial and last name, in combination with any one (1) or more of the following data elements:

(i) Social security number;

(ii) Driver license number; or

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(iii) Account, credit card, or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account; and

(B) Does not include information that is lawfully made available to the general public from federal, state, or local government records or information that has been redacted, or otherwise made unusable; and

**AND FURTHER AMEND** by deleting subsection (c) in the amendatory language of Section 1 and substituting instead the following:

(c) Any information holder that maintains computerized data that includes personal information that the information holder does not own shall notify the owner or licensee of the information of any breach of system security if the personal information was, or is reasonably believed to have been, acquired by an unauthorized person. The disclosure must be made no later than forty-five (45) days from the discovery or notification of the breach of system security, unless a longer period of time is required due to the legitimate needs of law enforcement, as provided in subsection (d).